

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

OLAKWESU Y. ELBEY,  
Moorish Republic of New Kemit,

Petitioner,

vs.

CARL S. HENDERSON, et al.,

Respondents.

:

:

:

Case No. 3:10cv00437

:

District Judge Walter Herbert Rice  
Magistrate Judge Sharon L. Ovington

:

:

---

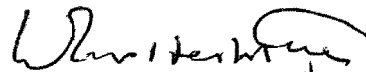
**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON NOVEMBER 23, 2010 (Doc. #6); DENYING PETITIONER'S MOTION TO LEAVE TO PROCEED IN FORMA PAUPERIS; DIRECTING THE CLERK OF COURT TO APPLY THE REQUIREMENTS OF CHIEF JUDGE DLOTT'S ORDER IN *State of Ohio v. Larry Ealy*, Civil Case No. 1:09cv245 (S.D. Ohio)(Doc. #3) TO ANY NEW PLEADING FILED BY LARRY E. EALY OR OLAKWESU Y. ELBEY REGARDLESS OF WHETHER HE CAPTIONS THE PLEADING UNDER THESE OR ANY OTHER NAME; DISMISSING PETITIONER'S CASE; AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT**

---

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #6), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on November 23, 2010 (Doc. #6) is ADOPTED in full;
2. Petitioner's Motion for Leave to Proceed in forma pauperis (Doc. # 3) is DENIED;
3. The Clerk of Court is directed to apply the requirements of Chief Judge Dlott's Order in *State of Ohio v. Larry Ealy*, Civil Case No. 1:09cv245 (S.D. Ohio)(Doc. #3) to any new pleading filed by Larry E. Ealy or Olakwesu Y. Elbey regardless of whether he captions it under these or any other name;

4. Petitioner's case is DISMISSED; and
5. The case is terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", is positioned above a horizontal line.

Walter Herbert Rice  
United States District Judge